

IN RE: PETITION FOR SPECIAL EXCEPTION  
NE/Corner Old Court Road and  
Naylor's Lane  
(4000 Old Court Road)  
3rd Election District  
2nd Councilmanic District  
Naylor Lane Limited Partnership  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-205-X

#### AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Exception to use a portion of the subject property as a pharmacy, pursuant to Section 204.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued December 22, 1993.

Subsequently, by letter dated January 7, 1994, Counsel for the Petitioner requested a modification of the Order to remove Restriction No. 1 thereof to permit the use of an existing sign, formerly used by Northwest Health Services, by the proposed tenant, Neighbor Care Pharmacy.

In consideration of the relief requested, and inasmuch as the use of said sign was permitted as a matter of right for the previous tenant,

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12<sup>th</sup> day of January, 1994 that the request for modification in the Motion for Reconsideration in the above-captioned matter be and is hereby APPROVED, and as such, Restriction No. 3 of the Order issued December 22, 1993 shall be modified as follows:

"3) The Petitioner shall be permitted to utilize the existing sign previously used by Northwest Health Services for the proposed Neighbor Care Pharmacy; however, there shall be no other signage associated with the proposed pharmacy along Old Court Road or Naylor's Lane."

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued December 22, 1993 shall remain in full force and effect.

TWK:bjs

cc: I. William Chase, Esquire  
1190 W. Northern Parkway, Baltimore, Md. 21210

Dr. Stanley Friedler  
4000 Old Court Road, Pikesville, Md. 21208

Nancy Paige, Esquire  
4020 Old Court Road, Pikesville, Md. 21208

People's Counsel  
File

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

- 2 -

IN RE: PETITION FOR SPECIAL EXCEPTION  
NE/Corner Old Court Road and  
Naylor's Lane  
(4000 Old Court Road)  
3rd Election District  
2nd Councilmanic District  
Naylor Lane Limited Partnership  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-205-X

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception filed by the owner of the subject property, the Naylor Lane Limited Partnership, by Stanley Friedler, Managing Partner. The Petitioner seeks approval to use a portion of the subject property for a pharmacy, pursuant to Section 204.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Dr. Stanley Friedler, one of the owners of the subject property, who was represented by I. William Chase, Esquire. Appearing as a Protestant in the matter on behalf of the Pine Ridge Association was Nancy Paige, Esquire.

Testimony indicated that the subject property, known as 4000 Old Court Road, consists of a gross area of 4.14 acres, zoned O-1 and is the site of a medical office building and accessory parking. The Petitioner is desirous of utilizing approximately 945 sq.ft. on the first floor of the subject building for a Neighbor Care Pharmacy, in accordance with Petitioner's Exhibit 1. Testimony indicated that a pharmacy at this location is desirable due to the large number of doctors and physicians who have offices within the building and that patients would have the added convenience of a pharmacy on the premises.

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Date 1/12/94  
By [Signature]

Appearing in opposition to the Petitioner's request was Nancy Paige, an attorney who is on the Zoning Board of the Pine Ridge Association. Ms. Paige testified that she is opposed to any retail use being located on the subject property and that she is concerned that such use would have a detrimental effect upon the residential character of the surrounding communities. Ms. Paige also testified that she is concerned about deliveries which might take place as a result of this pharmacy use. She stated that inasmuch as Neighbor Care advertises home delivery, she is concerned with delivery vehicles coming and going from the subject site, as well as the overnight storage of such delivery vehicles.

It should be noted that this Office received a letter dated December 9, 1993 from Gabriel W. Rosenbush, Jr., on behalf of the Pikesville Chamber of Commerce in which they offered their full support of the proposed pharmacy. The Chamber believes that the use proposed will benefit the community as well as the tenants of the existing building.

It is clear that the B.C.Z.R. permits the use proposed in a O-1 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In the opinion of this Deputy Zoning Commissioner, the Petitioner has shown that the proposed use will be conducted without real detriment to the neighborhood and will not adversely affect the public interest. Furthermore, the facts and circumstances do not show that the proposed use at the particular location

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

- 2 -

described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of December, 1993 that the Petition for Special Exception seeking approval to use a portion of the subject property for a pharmacy, pursuant to Section 204.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The hours of operation for the proposed pharmacy shall be limited to Monday through Friday, 8AM to 6PM, and Saturdays and Sundays, from 9AM to 12 Noon. The pharmacy shall be permitted to have one delivery vehicle

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

- 3 -

cle associated with its operation and said delivery vehicle shall be parked and stored to the rear of the subject site, near the location of the dumpster serving the existing building so as not to be visible from either Old Court Road or Naylor's Lane.

3) There shall be no signage associated with the proposed pharmacy along Old Court Road or Naylor's Lane.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TWK:bjs

[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

December 22, 1993

I. William Chase, Esquire  
1190 W. Northern Parkway  
Baltimore, Maryland 21210

RE: PETITION FOR SPECIAL EXCEPTION  
NE/Corner Old Court Road and Naylor's Lane  
(4000 Old Court Road)  
3rd Election District - 2nd Councilmanic District  
Naylor Lane Limited Partnership - Petitioner  
Case No. 94-205-X

Dear Mr. Chase:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

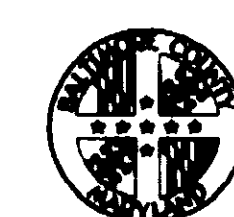
[Signature]  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Dr. Stanley Friedler  
4000 Old Court Road, Pikesville, Md. 21208

Nancy Paige, Esquire  
4020 Old Court Road, Pikesville, Md. 21208

People's Counsel: File



## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 4000 Old Court Road  
which is presently zoned O-1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for  
In accordance with Section 204.3B2a. to place a pharmacy in the first floor Suite 101 - 911 square feet.

Property is to be posted and advertised as prescribed by Zoning Regulations  
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Address	Legal Owner
NAME OF FIRM/INDIVIDUAL	<u>Naylor Lane Limited Partnership</u>
Signature	<u>[Signature]</u> Stanley Friedler, Managing Partner
Address	Name of Petitioner
City	<u>MD</u>
State	Address and phone number of representative to be notified
County	<u>4000 Old Court Road</u>
Zip	<u>Pikesville, MD 21208</u>
Phone No.	<u>433-4100</u>
1190 W. Northern Parkway	<u>433-4100</u>
Baltimore, MD 21210	<u>433-4100</u>
Signature of Representative	Signature of Representative
Date	Date
Received by	Received by

ORDER RECEIVED FOR FILING  
Date 1/12/94  
By [Signature]

#205

## Description

to Accompany Petition for Special Exception  
 941 Square Foot Parcel on the First Floor  
 of the Existing Office Building at  
 4000 Old Court Road, North of Old Court Road,  
 Southeast of Naylor's Lane,  
 Third Election District, Baltimore County, Maryland

IMW

The MW and Walker, Inc.

111 West Chesapeake Avenue

Towson, Maryland 21204

(410) 887-3353

Fax: (410) 887-3353

E-mail: imw@imw.com

Internet: www.imw.com

www.imw.com

Beginning for the same at the end of the two following courses and distances from the intersection of the centerline of Old Court Road, 70 feet wide, and the centerline of Naylor's Lane, 60 feet wide, (1) Easterly, along said centerline of Old Court Road 340 feet, more or less, and thence (2) Northerly, radially to the centerline of said Old Court Road, 130 feet, more or less, to the point of beginning and to the intersection of the centerline of the west wall and the centerline of the south wall of Suite 101 on the first floor of the office building there situated, running thence (1) Northerly, along the centerline of said west wall, 39 feet, more or less, thence (2) Easterly, along the centerline of the north wall of said Suite 101, 15 feet, more or less, thence still along the centerline of said north wall the following four courses and distances, viz: (3) Southeasterly, 6 feet, more or less, thence (4) Easterly, 4 feet, more or less, and thence (5) Southeasterly, 3 feet, more or less, to a point on the centerline of the east wall of said Suite 101, thence (6) Southerly, binding on said last mentioned centerline, 33 feet, more or less, to a point on the aforementioned centerline of the south wall of said Suite 101, and thence (7) Westerly, binding on said aforementioned centerline, 25 feet to the point of beginning, containing 941 square feet of land, more or less.

Page 1 of 2

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES  
 ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.  
 November 9, 1993  
 Project No. 85058.A (85058A.1)



Page 2 of 2

# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: 11/29/93  
 Posted for: Special Exception  
 Petitioner: Naylor Lane Partnership  
 Location of property: 4000 Old Court Rd., N/S 15th Naylor's Lane  
 Location of Sign: Along Naylor's Lane, from 4th to 5th Ave.  
 Remarks: None  
 Posted by: M. J. J. J. Date of return: 12/1/93  
 Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 25, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 25, 1993.

THE JEFFERSONIAN,  
 LEGAL AD. - TOWSON  
 Publisher

THE JEFFERSONIAN  
 111 West Chesapeake Avenue  
 Towson, MD 21204  
 (410) 887-3353  
 Fax: (410) 887-3353  
 E-mail: jeff@jeff.com  
 Internet: www.jeff.com  
 www.jeff.com

Baltimore County  
 Zoning Administration &  
 Development Management  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

receipt

Account: R-001-0100  
 Date: 11/12/93 94-205-X  
 Item Number: 205  
 Taken by: MJE

Naylor Lane Limited Partnership -  
 4000 Old Court Road  
 # 050 - Special Exception - \$1,300.00  
 # 080 - sign - \$135.00  
 - \$1,335.00

0340380135MCHRC  
 PB 0308134M11 15-93 \$335.00  
 Please Make Checks Payable To Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF ZONING ADMINISTRATION  
 MISCELLANEOUS CASH RECEIPT

39912

DATE: 11/14 ACCOUNT: 111-111-111  
 RECEIVED: 111-111-111  
 FROM: 111-111-111  
 FOR: 111-111-111  
 \$175.00  
 0140140039MCHRC  
 0340380135MCHRC  
 0308134M11 15-93  
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF ZONING ADMINISTRATION  
 MISCELLANEOUS CASH RECEIPT

39911

DATE: 11/14 ACCOUNT: 111-111-111  
 RECEIVED: 111-111-111  
 FROM: 111-111-111  
 FOR: 111-111-111  
 \$35.00  
 0140140039MCHRC  
 0340380135MCHRC  
 0308134M11 15-93  
 VALIDATION OR SIGNATURE OF CASHIER

Item Number: 205  
 Planner: MJS  
 Date Filed: 11/12/93

### PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney ☒  
 The following information is missing:  
☐ Descriptions, including accurate beginning point  
☐ Actual address of property  
☐ Zoning  
☐ Acreage  
☐ Plans (need 12, only 1 submitted)  
☐ 200 scale zoning map with property outlined  
☐ Election district  
☐ Councilmanic district  
☐ BIZR section information and/or wording  
☐ Hardship/practical difficulty information  
☒ Owner's signature (need minimum 1 original signature) and/or  
☐ power of attorney or authorization for person signing for legal owner and/or contract purchaser  
☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address  
☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser  
☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser  
☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number  
☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXTSOPH)

11/17/93

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

111 West Chesapeake Avenue

Towson, MD 21204

(410) 887-3353

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 205  
 Petitioner: Naylor Lane Limited Partnership  
 Location: 4000 Old Court Road  
 PLEASE FORWARD ADVERTISING BILL TO:  
 NAME: Harry I. Chase  
 ADDRESS: 1190 W Northern Parkway  
Baltimore, MD  
 PHONE NUMBER: 21210

AJ:ggg

(Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY  
 11/25/93 Issue - Jeffersonian

Please forward billing to:

Harry I. Chase, Esq.  
 1190 W. Northern Parkway  
 Baltimore, Maryland 21210  
 410-433-4100

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-205-X (Item 205)

4000 Old Court Road - Friedler Property

corner W/S Old Court Road, SE/S Naylor's Lane

3rd Election District - 2nd Councilmanic

Petitioner(s): Naylor Lane Limited Partnership

HEARING: MONDAY, DECEMBER 13, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception to place a pharmacy in the first floor, suite 101, of 941 square feet.

LAWRENCE E. SCHULY

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

111 West Chesapeake Avenue

Towson, MD 21204

(410) 887-3353

NOVEMBER 18, 1993

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-205-X (Item 205)

4000 Old Court Road - Friedler Property

corner W/S Old Court Road, SE/S Naylor's Lane

3rd Election District - 2nd Councilmanic

Petitioner(s): Naylor Lane Limited Partnership

HEARING: MONDAY, DECEMBER 13, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception to place a pharmacy in the first floor, suite 101, of 941 square feet.

Arnold Jablon

Director

cc: Naylor Lane Limited Partnership

Harry I. Chase, Esq.

NOTES: (1) ZONING SIGN &amp; POST MUST BE RETURNED TO: RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Recycled Ink on Recycled Paper



Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

December 3, 1993

Harry E. Chase, Esquire  
1190 West Northern Parkway  
Baltimore, Maryland 21210

RE: Case No. 94-205-X, Item No. 205  
Petitioner: Naylor Lane Limited Partnership  
Petition for Special Exception

Dear Mr. Chase:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on November 12, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

 Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

11-22-93

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 7265 (MJK)

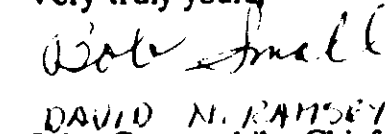
Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

  
DAVID N. RAMSEY, ACTING CHIEF  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2256 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: November 29, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 200, 202, 204, 205, 206, 207, 208, 209, 210, 213, 216 and 217.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: 

Division Chief: 

PK/JL:lw

ZAC 202/PZOM/ZAC1

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

February 10, 1994

I. William Chase, Esquire  
1190 W. Northern Parkway  
Baltimore, MD 21210

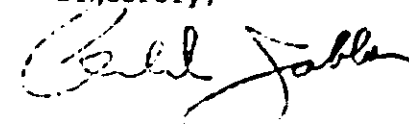
RE: Petition for Special Exception  
NE/Corner Old Court Road and Naylor's Lane  
(4000 Old Court Road)  
3rd Election District  
2nd Councilmanic District  
Naylor Lane Limited Partnership-Petitioner  
Case No. 94-205-X

Dear Mr. Chase:

Please be advised that an appeal of the above-referenced case was filed in this office on February 9, 1994 by Nancy E. Paige, Esquire on behalf of self and the Pine Ridge Association. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

  
ARNOLD JABLON  
Director

AJ:jaw

cc: Dr. Stanley Friedler  
People's Counsel

# APPEAL

Petition for Special Exception  
NE/Corner Old Court Road and Naylor's Lane  
(4000 Old Court Road)  
3rd Election District - 2nd Councilmanic District  
Naylor Lane Limited Partnership-PETITIONER  
Case No. 94-205-X

Petition(s) for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plan to Accompany Special Exception

Letter support from Gabriel W. Rosenbush dated December 9, 1994

Deputy Zoning Commissioner's Order dated January 12, 1994 (Granted)

Notice of Appeal received on February 9, 1994 from Nancy E. Paige, Esquire

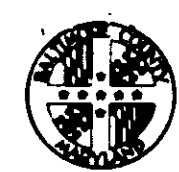
cc: Nancy E. Paige, Esquire, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, The Garrett Building, 233 E. Redwood Street, Baltimore, MD 21202-3332

I. William Chase, Esquire, Chase & Chase, 1190 W. Northern Parkway, Suite 124, Baltimore, MD 21210

Dr. Stanley Friedler, 4000 Old Court Road, Pikesville, MD 21208

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
Timothy M. Kotroco, Deputy Zoning Commissioner  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Director of ZADM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room - Room 48  
Old Courthouse, 400 Washington Avenue

April 12, 1994

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-205-X

NAYLOR LANE LIMITED PARTNERSHIP  
NE/corner Old Court Road and Naylor's Lane  
(4000 Old Court Road)  
3rd Election District  
2nd Councilmanic District

SE -To permit pharmacy on first floor of existing medical office building on the subject site.

12/22/93 -D.Z.C.'s Order in which Petition for Special Exception is GRANTED with restrictions.  
1/12/94 -D.Z.C.'s Amended Order removing Restriction No. 3 to permit utilization of existing sign by proposed pharmacy.

ASSIGNED FOR: THURSDAY, JUNE 30, 1994 at 10:00 a.m.

cc: Nancy E. Paige, Esquire, on behalf of herself & Pine Ridge Assn.

Appellants /Protestants

I. William Chase, Esquire  
Dr. Stanley Friedler

Counsel for Petitioner  
Petitioner

People's Counsel for Baltimore County

P. David Fields  
Lawrence E. Schmidt  
Timothy H. Kotroco  
W. Carl Richards, Jr. /ZADM  
Docket Clerk /ZADM  
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer  
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.

LAW OFFICES  
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

THE GARRETT BUILDING  
233 E. REDWOOD STREET  
BALTIMORE, MD 21202-3332

410-576-4000

Telex 908041 BAL  
Fax 410-576-4246

NANCY E. PAIGE  
410-576-4294

February 8, 1994

Arnold Jablon  
Director of Zoning Administration  
and Development Management  
County Office Building, Room 109  
111 West Chesapeake Avenue  
Towson, Maryland 21204

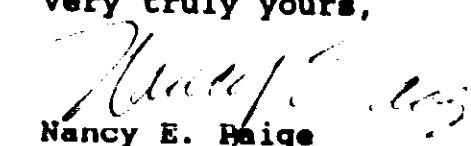
RE: Petition for Special Exception  
NE/Corner Old Court Road and Naylor's Lane  
(4000 Old Court Road)  
3rd Election District  
2nd Councilmanic District  
Naylor Lane Limited Partnership - Petitioner  
Case No. 94-205-X

Dear Mr. Jablon:

Please enter an appeal to the Board of Appeals on behalf of Nancy E. Paige, individually, and the Pine Ridge Association from the Order entered in the referenced case on January 12, 1994. Enclosed is my check in the amount of \$210.00 to cover the \$175 filing fee and the \$35 posting fee.

Thank you.

Very truly yours,

  
Nancy E. Paige

mn

enclosure

cc: I. William Chase, Esquire  
1190 W. Northern Parkway  
Baltimore, Maryland 21210

RECEIVED  
FEB 9 1994  
ZADM



December 9, 1993

Mr. Lawrence Schmidt  
Zoning Commissioner  
For Baltimore County  
Suite 113 Courthouse  
400 Washington Ave  
Towson, Md 21204

Re: Case # 94 - 205 - X  
4000 Old Court Rd. - Friedler Property

Dear Mr. Schmidt:

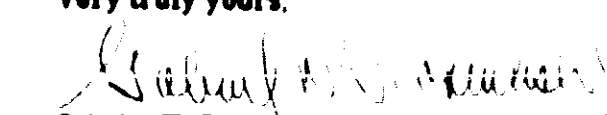
This is to advise you that the Zoning Committee of the Pikesville Chamber of Commerce has met with the representative of the above mentioned petitioner and has reviewed their Special Exception request.

The Committee is in full support of placing a pharmacy in suite 101 of the above mentioned building. We believe that it will serve the requirements of the medical tenants in the building as well as those of the immediate community.

It has been agreed between the Petitioner and the Committee the any signage for this pharmacy will be placed in the existing sign box in the same location previously occupied by the Northwest Health Services. There will be no expansion of the square footage of that sign nor will there be any signs placed in the windows of the building.

Therefore, we request that you enter these conditions along with our support into the order granting the petitioner's request.

Very truly yours,

  
Gabriel W. Rosenbush Jr.  
Chairman Zoning Committee for  
Pikesville Chamber of Commerce

cc: William Chase, Esq.  
Sid Friedman, Pres. POC

# CHASE & CHASE

ATTORNEYS AT LAW

1190 W. NORTHERN PARKWAY, SUITE 18A, BALTIMORE, MD 21204

(410) 455-4100

(410) 455-4174 FAX

HARRY L. CHASE  
I. WILLIAM CHASE  
ALINA M. GROSS

December 13, 1993

Timothy M. Kotroco  
Deputy Zoning Commissioner  
400 Washington Avenue  
Towson, Maryland 21204

RE: Case: 94-205-X  
4000 Old Court - Friedler  
D/H: December 13, 1993

Dear Mr. Kotroco:

In reference to the issues concerning the pharmacy's use of a van for delivery and the sign, please note the following:

1. The proposed tenant has agreed that there would be only one van used, and said van which is usually on the road from 8:00 A.M. to 6:00 P.M., would be parked in the back, out of view near the dumpster.

2. The tenant still has requested to use the existing sign, as indicated in the hearing.

In addition, the following should be noted as to Ms. Paige's argument that a pharmacy would established a commercial business in the building which would attract other clientele then the patients using the building:

A. That under the present zoning, my client by matter of right is allowed to have a photocopying establishment, eating or drinking establishment, travel bureaus and banks, which are commercial in nature, and could result in a higher volume of traffic then a pharmacy.

B. That according to my research, the reason a pharmacy was made a special exception was solely based on available parking. Clearly as stated in the hearing, my client's

building has adequate parking and that said use would mostly be for persons already seeing other tenants in the building.

Thank you for your kind consideration in this matter.

Very truly yours,

HARRY L. CHASE

cc: Nancy Paige  
Client

# CHASE & CHASE

ATTORNEYS AT LAW

1190 W. NORTHERN PARKWAY, SUITE 18A, BALTIMORE, MD 21204

(410) 455-4100

(410) 455-4174 FAX

January 7, 1994

HARRY L. CHASE  
I. WILLIAM CHASE  
ALINA M. GROSS

Tim Kotroco  
Deputy Zoning Commissioner  
For Baltimore County  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

RE: Petition for Special  
Exception  
Case No.: 94-205-X

Dear Mr. Kotroco:

Please consider this letter as a Motion for Reconsideration concerning your decision in the above case, as to signage.

In your decision you have prohibited my client from having any signage either on Old Court Road or Maylors Lane. However, according to my client and his conversations with various community leaders and the Pikeville Chamber of Commerce, the only signage requested was the already existing sign which was allowed by a matter of right for the previous tenant.

The sign is considerably small in comparison to any of the signs in the Pikeville area, and is essential to close the deal with the new tenant (pharmacy). As you can see in the file, the Chamber requested that this be the only sign allowed to indicate that a pharmacy was in my client's building.

Again, the only change in your decision that we are requesting is to allow us to use the existing sign for the new tenant, otherwise we will lose this tenant.

Thank you for your kind consideration in this matter.

Very truly yours,

HARRY L. CHASE

HLC/lls

PLEASE PRINT CLEARLY

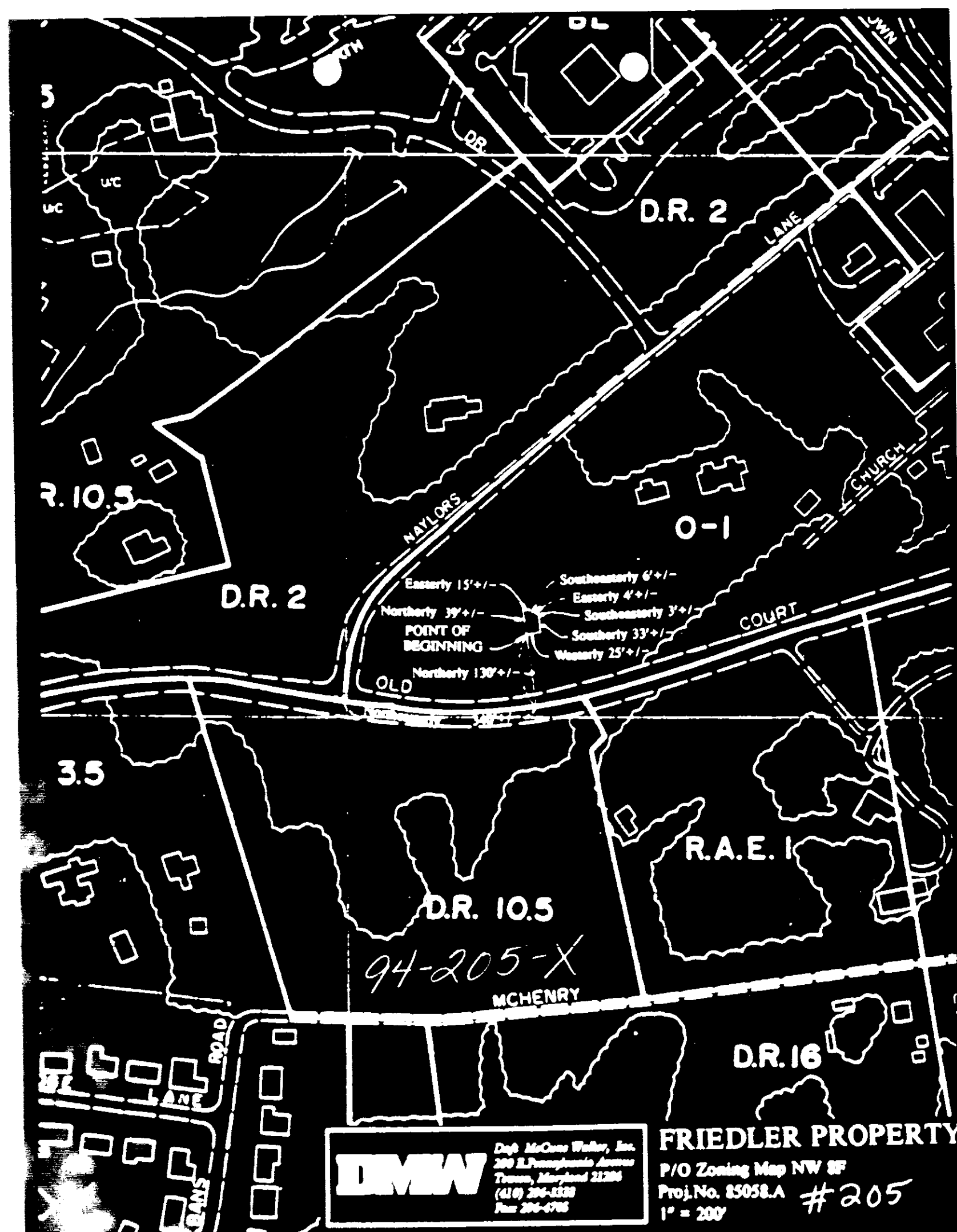
PROTESTANT(S) SIGN-IN SHEET

NAME

Nancy Paige

ADDRESS

4000 Old Court RD 21204





DAFT-McCUNE-WALKER, INC.

200 East Pennsylvania Avenue  
Towson, Maryland 21206  
410 296 1333  
Fax 296 4705

CLASS 'C' OFFICE BUILDING  
**FRIEDLER  
PROPERTY**  
4000 OLD COURT RD  
ELECTION DISTRICT 3 BALTIMORE CO., MD

OWNER'S  
EXHIBIT 1  
#205

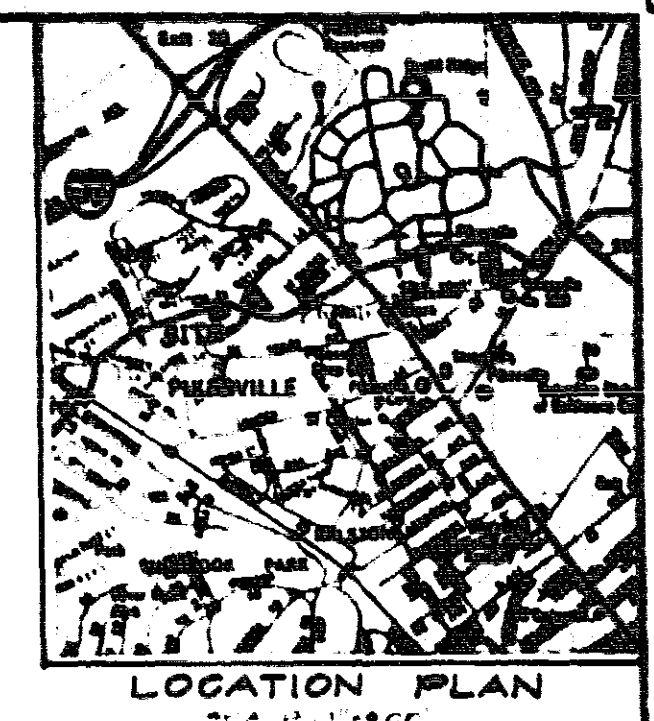
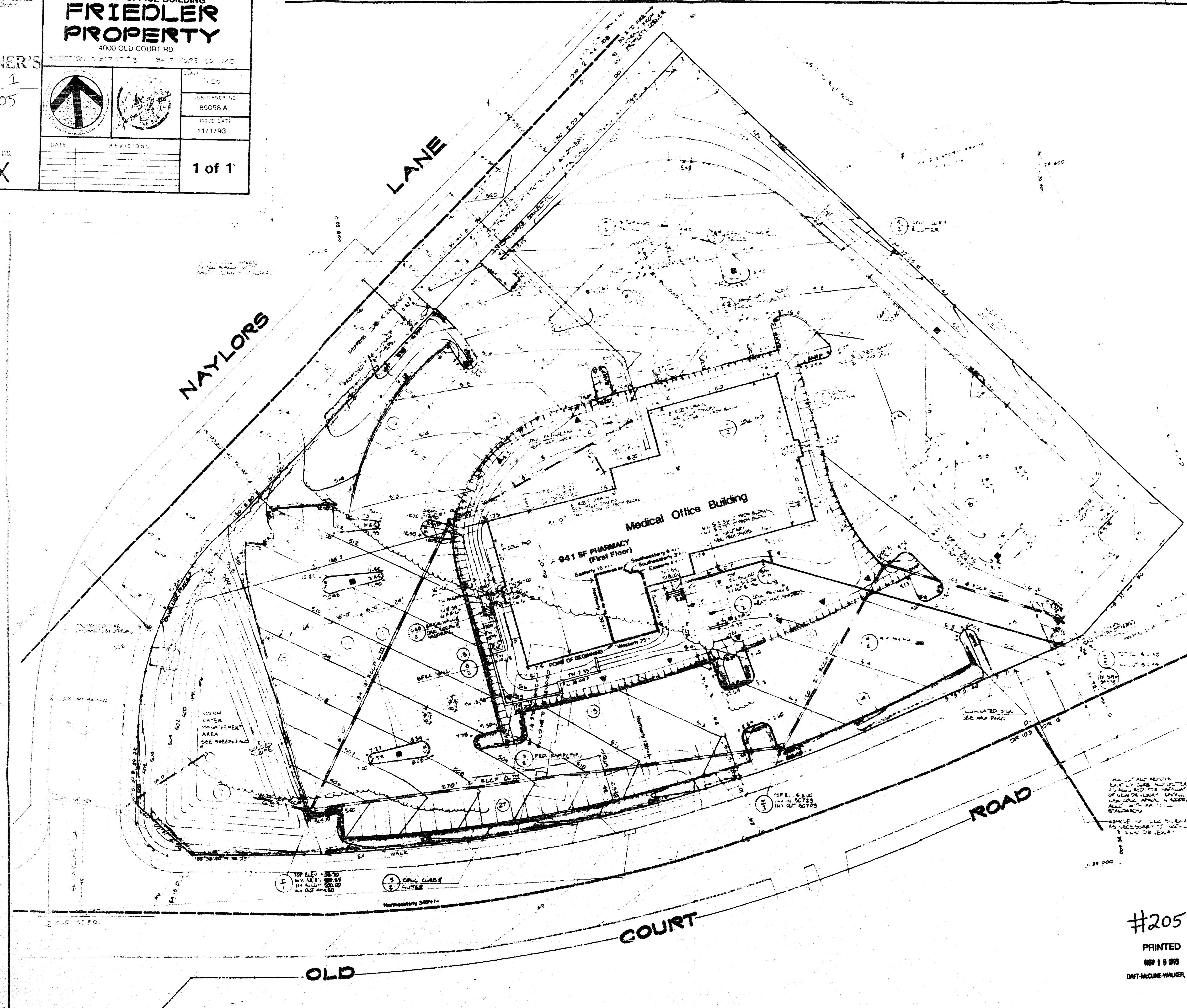
PRINTED  
NOV 10 1993

94-205-X

DATE

REVISIONS

1 of 1



- Owner: Naylor Lane Ltd. Partnership  
c/o Stanley Friedler  
4000 Old Court Rd., Suite 100  
Baltimore, MD 21206
- Use: Office Building
- Site Area and Zoning  
1.57 Ac. (3.11 Net)  
4.34 Ac. (3.11 Gross)
- Density (FAR = 1.52)  
Allowed = 4.34 x 0.55 = 2.39 (77%)  
Provided = 45,704 SF (0.24 FAR)
- Parking  
Required = 11,747 SF (0.51) @ 45,000 SF/acre = 261 Spaces  
941 SF Retail = 1,000 Spaces  
Total = 262 Spaces  
Proposed = 261 Spaces (net 211 G)
- Spac. meet requirements of Sec. 89.18.2.R. are paved with a durable, dustless surface and striped.
- Amenity Open Space  
Required = 1.57 Ac. x 0.2 = 31,100 SF  
Provided = 45,704 SF
- There are no streams, springs or bodies of water, wells or septic systems on site.

PLAN & PLAT TO ACCOMPANY  
ZONING PETITION FOR SPECIAL EXCEPTION

DAFT-McCUNE-WALKER, INC.  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
200 East Pennsylvania Avenue  
Towson, Maryland 21206  
410 296 1333  
Fax 296 4705

CLASS 'C' OFFICE BUILDING  
**FRIEDLER  
PROPERTY**  
4000 OLD COURT RD  
ELECTION DISTRICT 3 BALTIMORE CO., MD

OWNER'S  
EXHIBIT 1  
#205

PRINTED  
NOV 10 1993

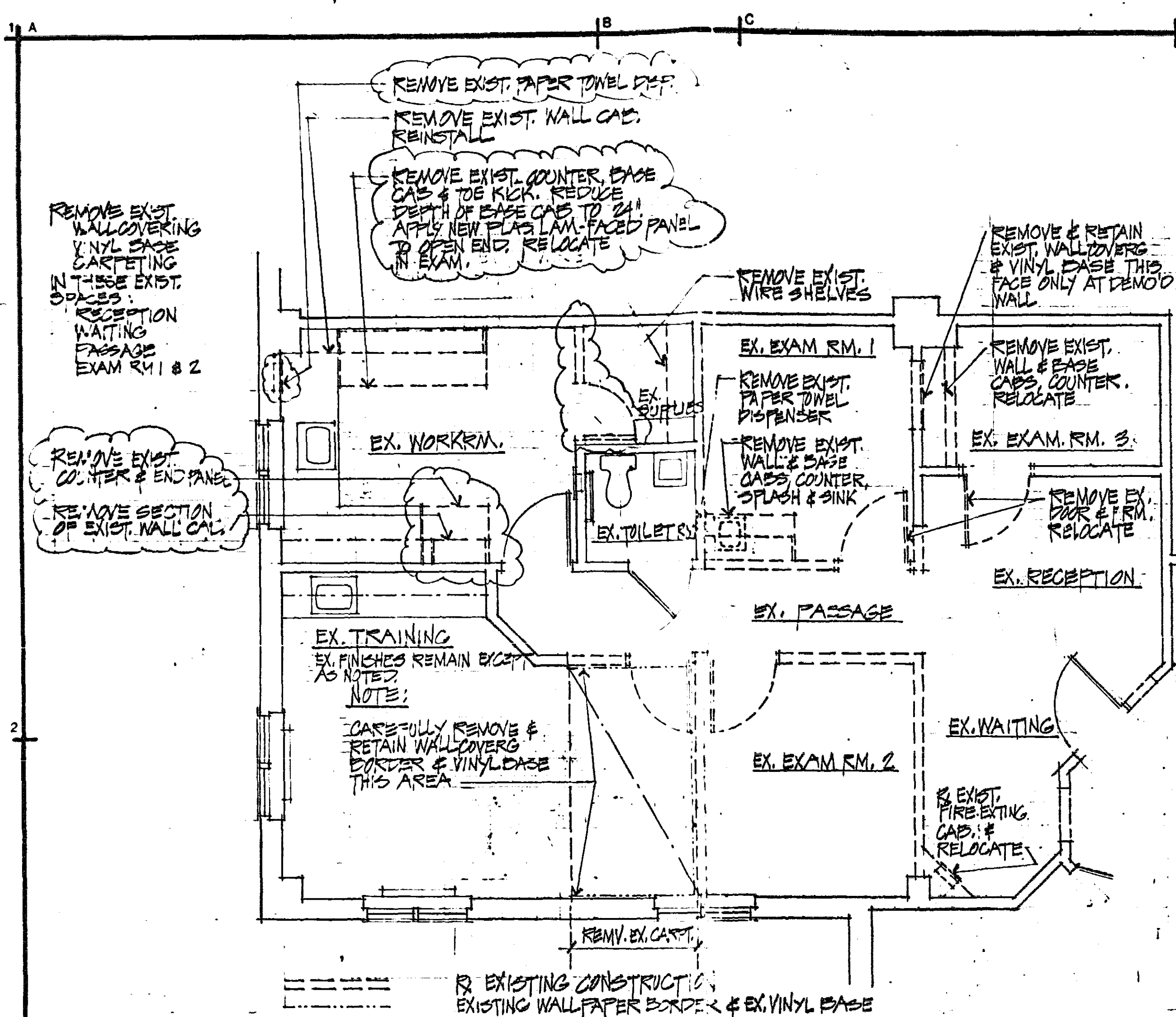
94-205-X

DATE

REVISIONS

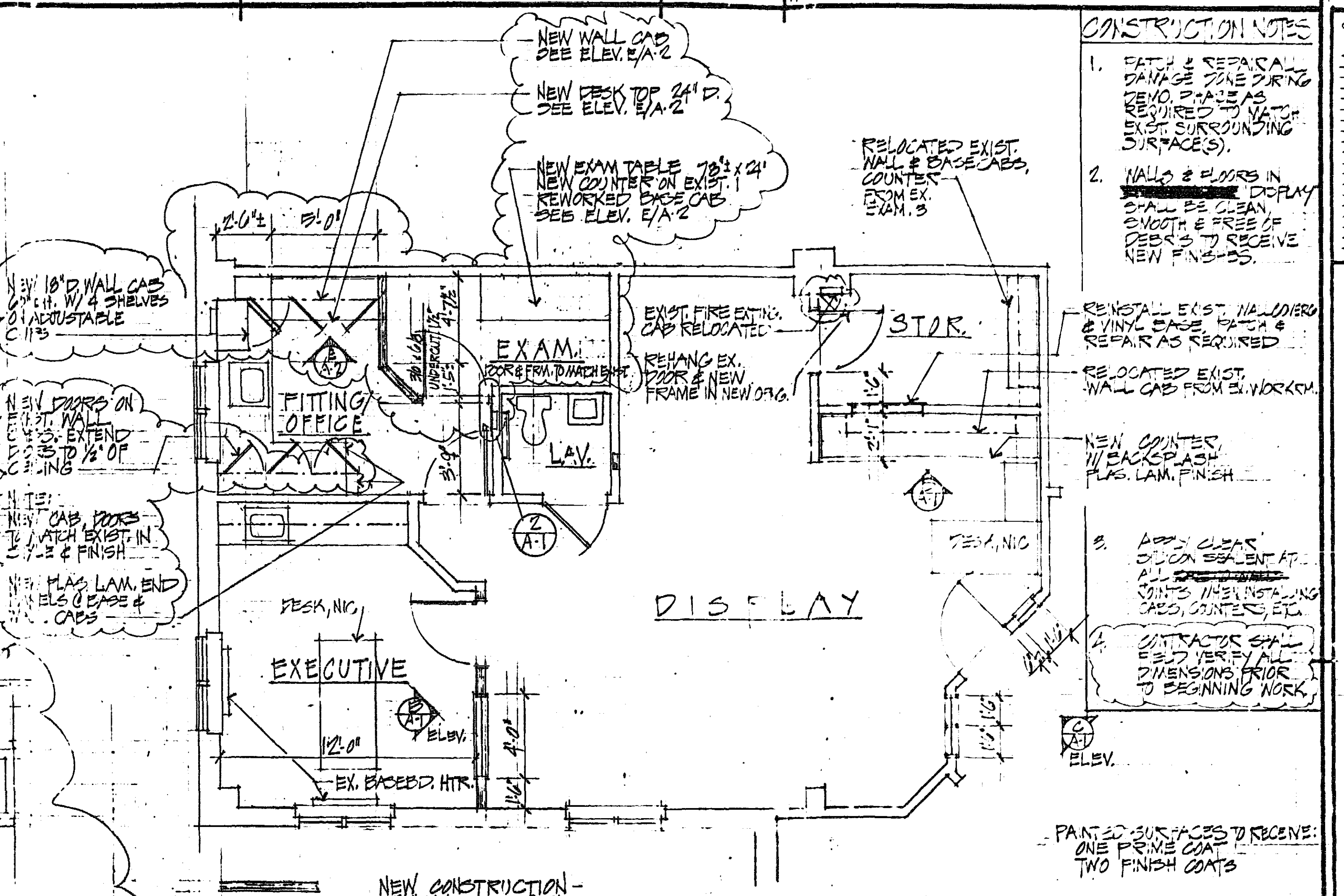
1 of 1





EXISTING/DEMOLITION PLAN  
SCALE: 1/4" = 1'-0"

- DEMOLITION NOTES**
1. DEMOLISH EXISTING PARTITIONS AS SHOWN ON PLAN.
  2. REMOVE & RETAIN EXIST. DOORS, FRAMES, & HARDWARE AS SHOWN ON PLAN.
  3. REMOVE EXIST. CASES, SHELVING, ETC. AS SHOWN ON PLAN. RETAIN THESE ITEMS FOR RELOCATION AS SHOWN ON NEW FLOOR PLAN. ITEMS NOT USED SHALL BE TURNED BACK TO OWNER, WHO WILL DIRECT THEIR DISPOSEMENT.
  4. CONTRACTOR SHALL VISIT SITE PRIOR TO UNDERTAKING WORK.



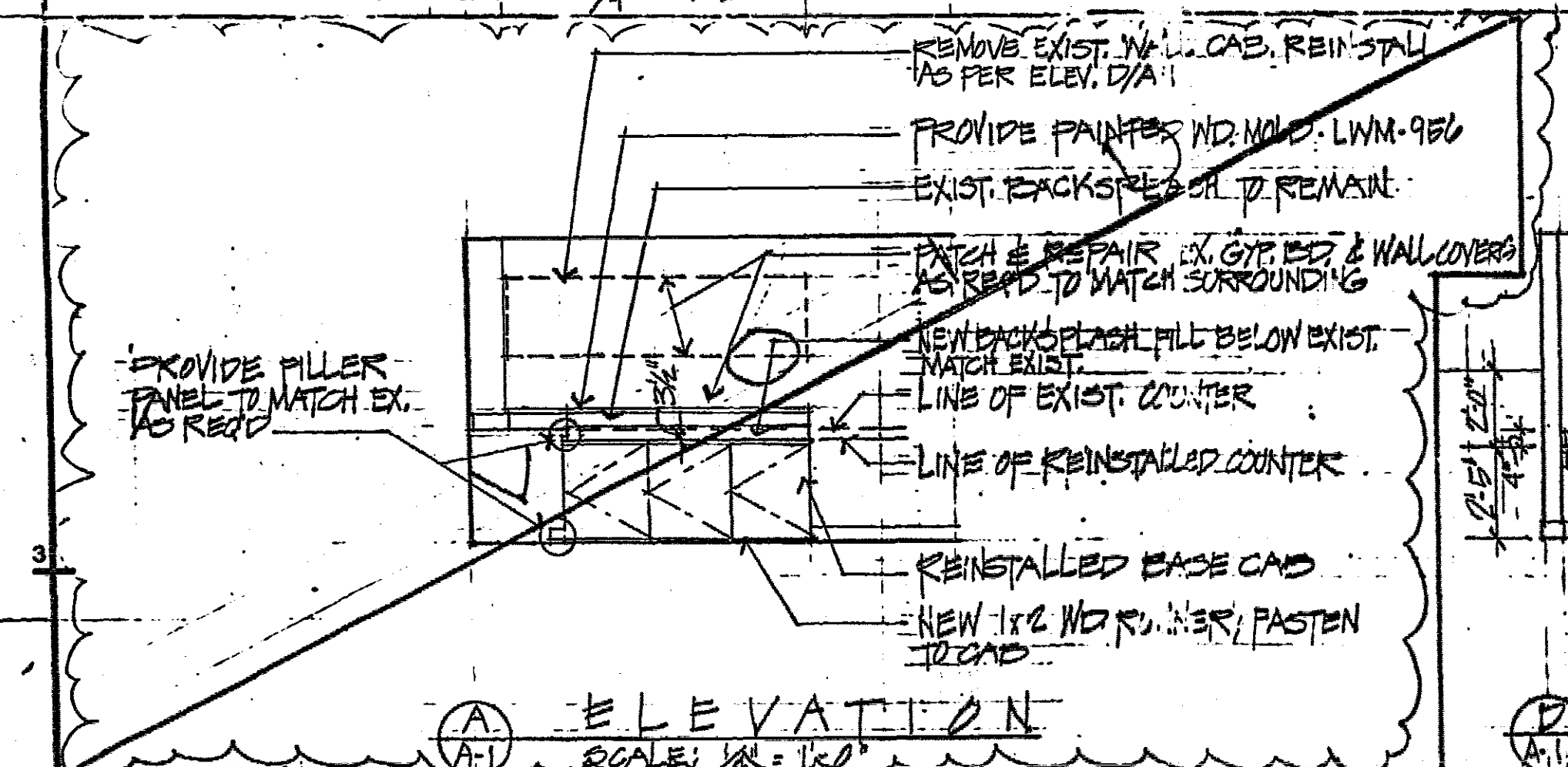
NEW FLOOR PLAN  
SCALE: 1/4" = 1'-0"

**FINISHES**

ROOM	FLOOR	CASE	WALLS	CEILING
EXECUTIVE	SPOT, EXIST.	4" VINYL MATCH EXIST.	NEW WALL, MATCH EXIST.	NOT BE ON EXIST.
FITTING/OFFICE	EXIST.	EXIST. NEW DO.	EXIST. NEW DO.	EXIST. NEW DO.
EXAM.	DO.	EXIST. NEW DO.	EXIST. NEW DO.	EXIST. NEW DO.
LAV.	DO.	EXIST. NEW DO.	EXIST. NEW DO.	EXIST. NEW DO.
STOR.	DO.	EXIST. NEW DO.	EXIST. NEW DO.	EXIST. NEW DO.

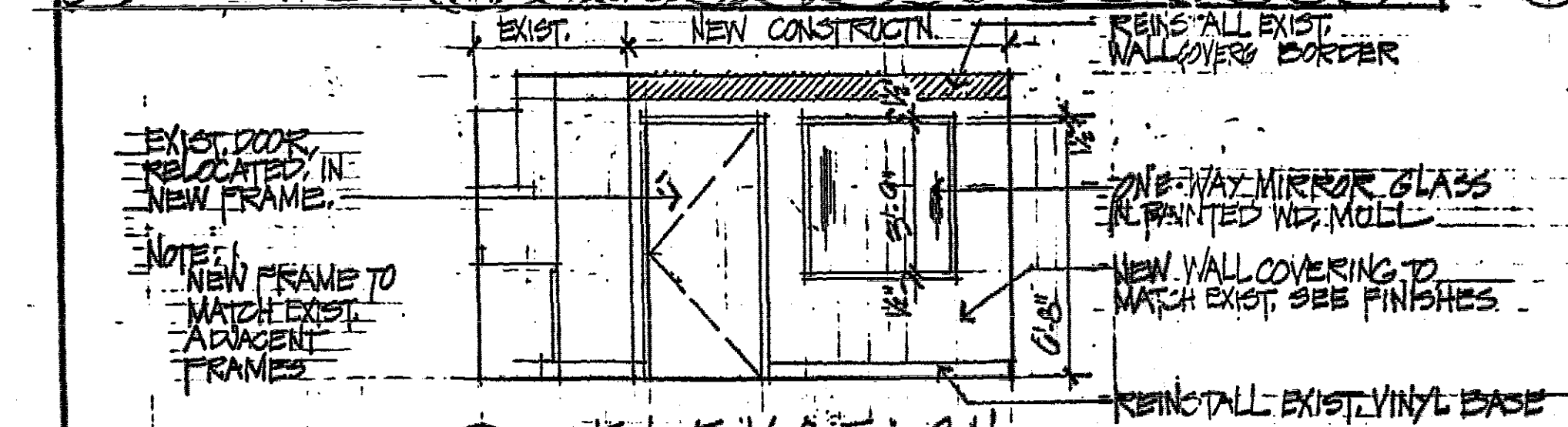
**FINISHES NOTES:**  
 \* NEW WALL COVERING FURNISHED BY OWNER. INSTALLER BY CONTRACTOR. SEE ELEV. B/A-1.  
 \* NEW GLASS GRID & ACQUIS. TILES.  
 \* PROVIDE 6" INSULATION ABOVE GLASS.  
 \* RELOCATED EX. SWITCH.  
 \* NEW SUPPLY AIR DIFFUSERS, MODIFY EXIST. HVAC SYSTEM.  
 \* NEW TELEPHONE OUTLET, MOUNT 12" AFF.

- NOTES:**
1. REWORK EXIST. GLASS GRID ABOVE TILES & FLOOR FINISH TO OBTAIN LAYOUT SHOWN. PROVIDE NEW GRID & WALLS AS REQ.
  2. CEILING HGT. - 8'-0"

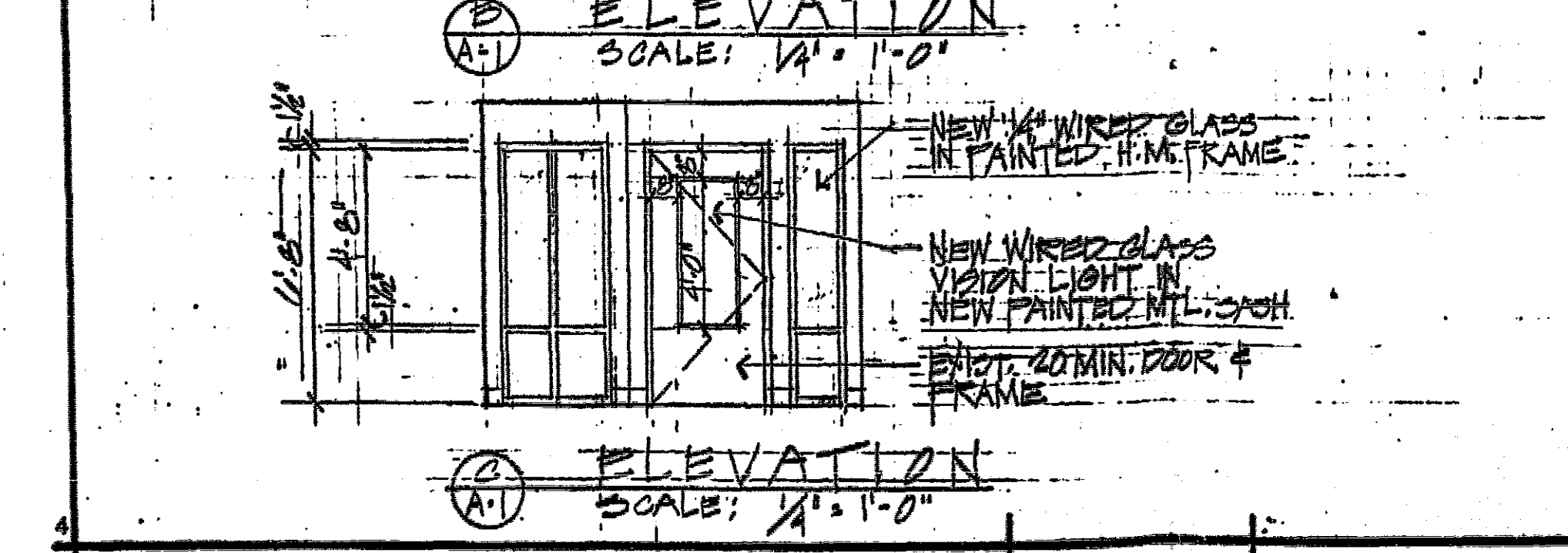


ELEVATION A-1  
SCALE: 1/4" = 1'-0"

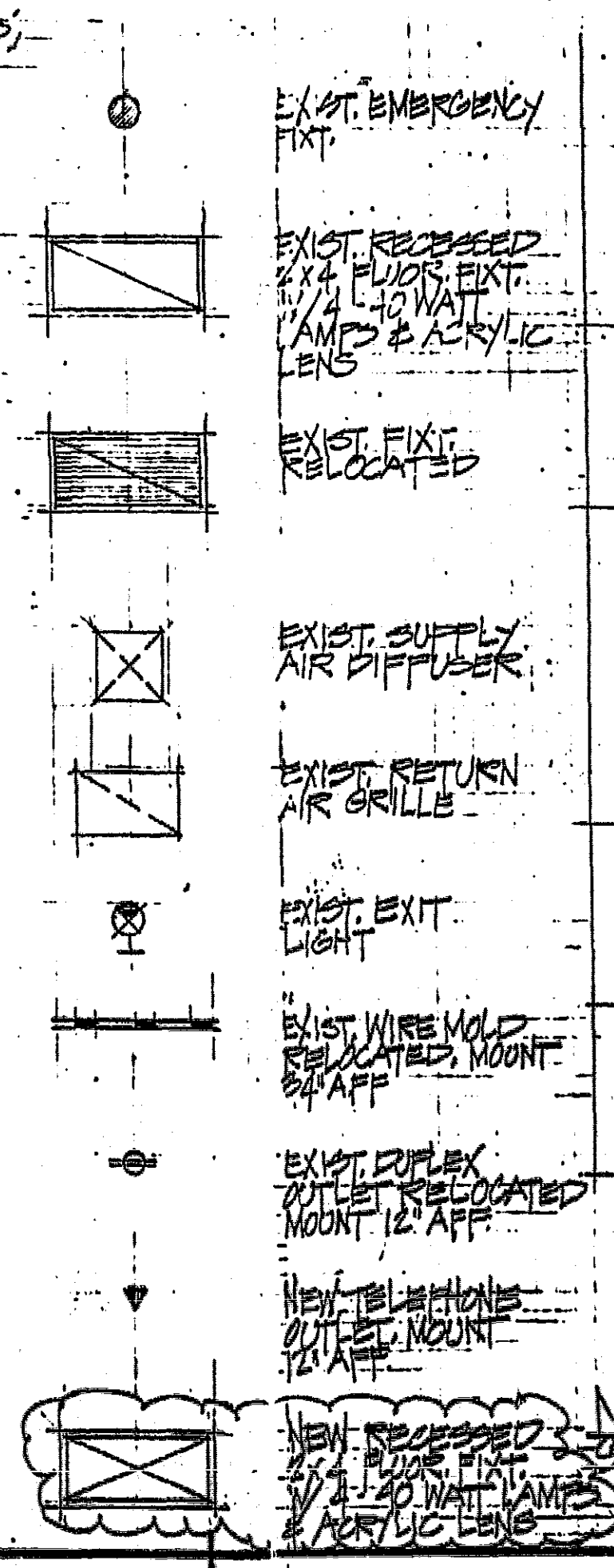
ELEVATION A-1  
SCALE: 1/4" = 1'-0"



ELEVATION A-2  
SCALE: 1/4" = 1'-0"



ELEVATION A-3  
SCALE: 1/4" = 1'-0"



NEW REFLECTED CEILING PLAN  
SCALE: 1/4" = 1'-0"

94-205-X  
#205

DATE OF REVISIONS  
15.6.1990

Suite 101 941 SQ. FT.  
EXISTING CONSTRUCTION

17 Warren Road  
Suite 7C  
Baltimore, Maryland 21206  
(301) 466-9006

Levin/Johnson & Associates, Inc.  
ARCHITECTS

sheet no  
A-1 of 2

REV. 24, 1990

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